

PATENT COOPERATION TREATY
PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 030821PCGCLJ	<div style="display: flex; justify-content: space-between;"><div>FOR FURTHER ACTION</div><div>see Form PCT/ISA/220 as well as, where applicable, item 5 below.</div></div>
International application No. PCT/AU2004/001012	<div style="display: flex; justify-content: space-between;"><div>International filing date (<i>day/month/year</i>) 30 July 2004</div><div>(Earliest) Priority Date (<i>day/month/year</i>) 31 July 2003</div></div>
Applicant MEDIGARD LIMITED et al	

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of **6** sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

Basis of the report

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).
- b. ☐ With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.
2. ☐ Certain claims were found unsearchable (See Box No. II).
3. ☒ Unity of invention is lacking (See Box No. III).
4. With regard to the title,
- ☐ the text is approved as submitted by the applicant.
- ☒ the text has been established by this Authority to read as follows:
- Cannula/catheter introducer with retractable needle**

5. With regard to the abstract,
- ☐ the text is approved as submitted by the applicant.
- ☒ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.
6. With regard to the drawings,
- a. the figure of the drawings to be published with the abstract is Figure No. **2**
- ☐ as suggested by the applicant.
- ☐ as selected by this Authority, because the applicant failed to suggest a figure.
- ☒ as selected by this Authority, because this figure better characterizes the invention.
- b. ☐ none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/AU2004/001012**Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)**

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☐ Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a)

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

Claims 1-16 relate to a cannula/catheter introducer with inner and outer tubular members, sealing means, release means, a needle holder with a release means where movement of the inner tubular member allows the release means to lock against the needle release means and vacuum retract the needle.

Claim 17 relates to a cannula/catheter introducer with inner and outer tubular members, retraction means for a puncture needle and a limit means to limit the travel of the inner tubular member, located adjacent a distal end of the introducer.

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☒ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

Box No. IV Text of the Abstract (Continuation of item 5 of the first sheet)

A catheter/cannula introducer (41) is disclosed that allows a puncture needle (54) to be inserted into a catheter. Once the puncture needle has performed its function, it can shoot back into the device such that there is a reduced likelihood of needlestick injury. Vacuum is used to assist in the shoot back function.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/AU2004/001012

A. CLASSIFICATION OF SUBJECT MATTER Int. Cl. ⁷ : A61M 25/06, 5/32 According to International Patent Classification (IPC) or to both national classification and IPC					
B. FIELDS SEARCHED Minimum documentation searched (classification system followed by classification symbols) Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched Electronic data base consulted during the international search (name of data base and, where practicable, search terms used) DWPI-IPC A61M, A61B & keywords (catheter, introduce, retract, vacuum and similar terms); USPTO & Espace with similar terms to those above					
C. DOCUMENTS CONSIDERED TO BE RELEVANT					
Category* <input type="radio"/>	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.			
A	US 5487734 A (THORNE et al) 30 January 1996 See abstract and figures	1-16			
A	US 6024727 A (THORNE et al) 15 February 2000 See abstract and figures	1-16			
A	US 5817058 A (SHAW) 6 October 1998 See abstract and figures	17			
A	US 5911705 A (HOWELL) 15 June 1999 See abstract and figures	17			
<input checked="" type="checkbox"/> Further documents are listed in the continuation of Box C <input checked="" type="checkbox"/> See patent family annex					
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top;"> * Special categories of cited documents: "A" document defining the general state of the art which is not considered to be of particular relevance "E" earlier application or patent but published on or after the international filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means "P" document published prior to the international filing date but later than the priority date claimed </td> <td style="width: 33%; vertical-align: top;"> "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art "&" document member of the same patent family </td> <td style="width: 33%;"></td> </tr> </table>			* Special categories of cited documents: "A" document defining the general state of the art which is not considered to be of particular relevance "E" earlier application or patent but published on or after the international filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means "P" document published prior to the international filing date but later than the priority date claimed	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art "&" document member of the same patent family	
* Special categories of cited documents: "A" document defining the general state of the art which is not considered to be of particular relevance "E" earlier application or patent but published on or after the international filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means "P" document published prior to the international filing date but later than the priority date claimed	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art "&" document member of the same patent family				
Date of the actual completion of the international search 29 September 2004		Date of mailing of the international search report 5 OCT 2004			
Name and mailing address of the ISA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustalia.gov.au Facsimile No. (02) 6285 3929		Authorized officer STEPHEN CLARK Telephone No : (02) 6283 2781			

INTERNATIONAL SEARCH REPORT

International application No.

PCT/AU2004/001012

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 5830190 A (HOWELL) 3 November 1998 See abstract and figures	17

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.

PCT/AU2004/001012

This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report		Patent Family Member			
US	5487734	AU	17565/97	AU	48537/96
		AU	93046/98	BR	9510270
		BR	9712875	BR	9811644
		CA	2215036	CA	2265908
		CN	1171745	CN	1235557
		EP	0837705	EP	1011755
		NO	20001236	NZ	302476
		NZ	334326	NZ	503865
		US	5542927	US	5549708
		US	5656031	US	5823997
		US	5928200	US	5980488
		WO	9621483	WO	9727890
		WO	9912592		
US	6024727	SEE	LISTING	ABOVE	
US	5817058	WO	9828028		
US	5911705	CA	2201055	EP	0799626
		US	5865806	JP	10015075
US	5830190	CA	2206085	EP	0812602
				JP	10052499
<p>Due to data integration issues this family listing may not include 10 digit Australian applications filed since May 2001.</p> <p>END OF ANNEX</p>					